

Remarks

This is responsive to the final Office Action (Paper No. 7) mailed April 20, 2005, which provided a final rejection of all pending claims 31-50 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,519,107 to Ehrlich et al. ("Ehrlich '107"). The Applicant respectfully requests reconsideration and withdrawal of this final rejection.

In the "Response to Arguments" section of the final Office Action, the Examiner cited col. 8, line 65 to col. 9, line 39 and col. 15, lines 18-26 of Ehrlich '107 in support of the proposition that Ehrlich '107 discloses "the combination of the servo-writer position control and data transducer position control are integrated in the servo data writing process *on the servo writer.*" (Final Office Action, page 5, lines 6-11, emphasis added). This is respectfully traversed.

Ehrlich '107 generally discloses a two-phase servo writing operation. During the first phase, initial servo data are written under servo writer control. During the second phase, the disc drive is removed from the servo writer and the disc drive is configured to perform self-servo writing by transducing the servo data previously written in the first phase. See Ehrlich '107, col. 6, lines 12-33; col. 9, lines 40-55; col. 11, line 64 to col. 12, line 17; col. 12, lines 48-56; and FIGS. 6A, 8.

The sections of Ehrlich '107 cited by the Examiner in the final Office Action make it clear that during the first phase (initial servo writer process), the transducer is solely under positional control by the servo writer. For example, see the following excerpts from Ehrlich '107:

In accordance with principles of the present invention, the servowriter 32 controls the spindle motor 14, the actuator motor 20 and the head 15 via circuit 21 in order respectively to rotate the disc 12, position the actuator 16,

(and microactuator 18, if a dual-stage actuator is present), and write and check phase-coherent digital servo information fields 23 and servo burst patterns to the disc 12. (Ehrlich '107, col. 9, lines 16-22, emphasis added.)

An initial reference servo burst pattern 22 of radial servo reference bursts A, B, and C is recorded by the relatively wide inductive write element 17 of the head 15 under the control of the servowriter 32. (Ehrlich '107, col. 9, lines 22-25, emphasis added)

There is nothing in these excerpts, or in the remainder of Ehrlich '107, to support a view that this positioning is carried out using a positioning signal from a servo writer apparatus *in combination with* a readback signal transduced by the data transducer, as claimed.

When addressing the nature and character of this initial servo data, Ehrlich '107 posits that "the initial servo burst reference pattern is sufficient to enable the read element 19 of the head 15 to servo at some, but probably not all, locations within any particular data track defined on the data surface, depending upon the reader and writer element widths." (Ehrlich '107, col. 9, lines 27-31, emphasis added). Ehrlich '107 thus states that additional intermediate bursts can accordingly be provided as needed by the servo writer so that, *during the subsequent self-servo writing phase* (after the disc drive has been removed from the servo writer), the readback signal transduced from these patterns will be sufficient to allow transducer control. Col. 9, lines 36-39.

Accordingly, there is nothing in Ehrlich '107 that can be reasonably viewed as disclosing obtaining a transducer readback signal and combining this with a positioning signal from the servo writer during the servo writer portion of the process, as asserted by the Examiner.

Finally, the Applicant points out that once Ehrlich '107 removes the disc drive from the servo writer and transducer positional control is used to self-write the final servo data, there is nothing that can be fairly characterized as constituting the recited "positioning signal from the servo writer apparatus," as set forth in the claims. The servo writer apparatus is not even coupled to the disc drive at this point. Thus, Ehrlich '107 further fails to disclose the claimed invention during the self-servo writing phase as well.

The Applicant respectfully submits that the Examiner has mischaracterized the disclosure of Ehrlich '107 and has therefore failed to establish a *prima facie* case of anticipation under §102(e). Reconsideration and withdrawal of the rejection of claims 31-50 are therefore respectfully requested.

Conclusion

This is intended to be a complete response to the final Office Action mailed April 20, 2005. The Applicant requests that the Examiner reconsider the application and allow all the claims therein. The Examiner is invited to contact the Attorneys listed below should any questions arise concerning this response.

Respectfully submitted,

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